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Minutes

MASSACHUSETTS STATE ATHLETIC COMMISSION 1 ASHBURTON PLACE, BOSTON, DPS CONFERENCE ROOM 1301 October 2, 2014, 12:00PM

1. The meeting was called to order by Chair Adams at 12:15pm followed by roll call:

Board Members Present

LaTeisha Adams Chair

Commissioner Guy Licciardi

Commissioner Gary Litchfield

Commissioner Joseph Krowski, Jr.

Commissioner Quion T Riley

Guests Present

Ronnie Drimer, DPS Program Coordinator

Deirdre Hosler, DPS Deputy General Counsel

Richard Lamontagne, professional boxer

Sarah Moses, Center Administrator for Doctors Express

Jeffrey K O'Connor, Attorney

Karyn Wesch, MMA Promoter via telephone

2. Hearing for Karyn Wesch

Chair Adams opened the hearing by informing all that this was a continuation of the hearing from August 7, 2014 and that Ms. Wesch chose not to have legal representation and was participating via telephone. Ms. Wesch agreed that she did not want legal representation for this hearing. The exhibit packets were available for all Commissioners. There were 11 exhibits in each packet which Ms. Wesch also had. Chair Adams swore in all of the witnesses giving testimony at the hearing: Ronnie Drimer, Sarah Moses and Karyn Wesch.

Sarah Moses testified that on July 9, 2014, she had called MSAC and had spoken to Ronnie Drimer to ask if the regulations had changed regarding interpreting the blood, EKG and other medical tests clearing fighters to participate in events. Ms. Drimer told her that

nothing had changed and all requirements were the same. Ms. Moses said she had called Ms. Drimer after Dr. Christina Blejan, a physician at Doctor's Express, had received a phone call from Ms. Wesch stating that it was not a requirement for the physician to interpret the medical tests. Ms. Moses also stated that Ms. Wesch had called her also stating the same and that all the office had to do was send the paper with the "squiggly lines" (the ekg) to the Commission office. Dr. Blejan was concerned that the EKG was abnormal and wanted the patient to have a cardiologist clear him to fight before she would sign off on the medical form for the fighter to participate.

Ms. Moses also stated that fighter Shawn Le had come into the Doctor's Express office on July 8, 2014 for an appointment to get his exam and testing done. He had come in the following day, July 9, 2014 to pick up his paperwork and he was told that the doctor did not sign the form to clear him to fight. Ms. Moses stated that Ms. Drimer had faxed and e-mailed a signed medical form from Doctor's Express on the morning of July 10, 2014 to see if the doctor's signature was valid. Ms. Moses said it was not their doctor's signature on the form.

Attorney Hosler asked Ms. Moses if exhibit 10, the Doctor's Express form was the form that they had in their office on Shawn Le. Ms. Moses stated it was. Attorney Hosler had asked if that form was signed and Ms. Moses said it was not.

Ms. Moses stated that on July 9, 2014, Shawn Lee came into the Doctor's Express office to pick up his forms; she also stated that she told Mr. Lee that the doctor did not sign the form clearing him to fight and would not until he saw a cardiologist. Ms. Moses stated that Mr. Le understood what she had said to him.

Attorney Hosler pointed out exhibit 11; Ms. Moses stated that these were the notes in the patient's record were the doctor's noted that the patient had an abnormal keg and needed to get a cardio work up.

Ms. Moses also stated that she did not give Ms. Drimer the fighter's name when she originally called her due to privacy laws. She stated Ms. Drimer said she only had a few fighters left that did not send in their medicals.

Chair Adams asked Ms. Moses if at any time she had spoken to Ms. Wesch and informed her that the fighter was not cleared to fight. Ms. Moses stated yes, that she had talked to Ms. Wesch over the telephone and had informed her of it the morning after Ms. Wesch had called Dr. Blejan and was told the same thing.

Commissioner Litchfield asked Ms. Moses if she had dealt with fighter's before and had she know what the protocol was from the State; she replied she had and yes she was familiar with the protocol which is why she called Ms. Drimer to see if anything had changed.

Commissioner Krowski Jr asked Ms. Moses if her office had their own medical physical form, she replied yes. He then asked if she dealt with Ms. Wesch before, she replied yes. Commissioner Krowski Jr asked it if was all by telephone or had she come into the office; Ms. Moses replied that she had met her once in the office but mostly by telephone.

Commissioner Krowski Jr asked if she identified herself on the telephone; Ms. Moses said she had as Karyn Wesch.

Chair Adams asked Ms. Wesch if she had any questions for the witness; she said she did and asked Ms. Moses if she thought there were any changes in protocol over the last 4 years. Ms. Moses stated she was not employed at Doctor's Express 4 years ago when Ms. Wesch began sending fighters to that Doctor's Express office and did not know what the original arrangements were at that time.

Attorney Hosler asked Ms. Drimer if she agreed with the testimony give by Ms. Moses pertaining to her conversations with her, Ms. Drimer stated that originally she had thought Ms. Wesch came into their office with the fighter and did not realize that Ms. Wesch had only spoken to Ms. Moses and the doctor by telephone.

Commissioner Krowski Jr asked Ms. Wesch if she was informed that Mr. Le needed further testing to be cleared to fight, Ms. Wesch said yes. Commissioner Krowski Jr asked Ms. Wesch if she made a follow up appointment for the fighter for additional tests, Ms. Wesch said she did not.

Attorney Hosler suggested that the Commission take this matter under advisement. A motion was made by Commissioner Litchfield to close the hearing, seconded by Commissioner Licciardi, approved by unanimous decision.

3. Approval of the minutes from September 4, 2014
A motion was made by Commissioner Krowski Jr to approve the minutes of September 4, 2014, seconded by Commissioner Litchfield. Motion was passed by unanimous decision.
4. Approval of Suspensions for September 12, 2014, September 20, 2014 and September 26, 2014
A motion was made by Commissioner Litchfield to approve all of the suspensions for September 12, 2014, September 20, 2014 and September 26, 2014, seconded by Commissioner Riley. Motion was passed by unanimous decision.
5. Daniel Cormier decision from September 20, 2014 was tabled.
6. Pro Boxer Richie LaMontagne
Richie Lamontagne came before the Commission to discuss the possibility of getting his pro license back. He has been training 2 hours a day everyday and stated that his last official fight was in 2005 and has fought in 10-15 unofficial fights "smokers" since then. The last one was a few months ago. Mr. Lamontagne said he had taken time off in 2005 to deal with some personal issues. Commissioner Licciardi told Mr. Lamontagne that he would need to get current medical testing done, including a brain scan and send it to the athletic commission office to be forwarded to the Medical Advisory Board (MAB) for review.
7. Matters not reasonably anticipated 48 hours in advance of meeting
An application for a boxing judge was submitted by Larry Riley. A motion was made by Commissioner Litchfield to approve the application, seconded by Commissioner Licciardi. Motion was passed by unanimous decision.

8. Schedule next meeting

The next meeting was scheduled for November 6, 2014 at 12:00pm.

9. Adjourn

This meeting adjourned at 1:27pm.

List of Documents/Exhibits used at this meeting

Exhibits 1-11 for Karyn Wesch Hearing

Boxing Judge Application for Larry Riley

Suspension List for September 12, 2014, September 20, 2014 and September 26, 2014